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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/829,079
Filing Date	April 10, 2001
First Named Inventor	ROBERT SMART
Group Art Unit	2135
Examiner Name	L.L.D. Son
Attorney Docket Number	00169.002021.

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114		
a.	<input type="checkbox"/> Previously submitted		
i.	<input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).		
ii.	<input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____		
iii.	<input type="checkbox"/> Other _____		
b.	<input checked="" type="checkbox"/> Enclosed		
i.	<input checked="" type="checkbox"/> Preliminary Amendment/Reply		
ii.	<input type="checkbox"/> Affidavit(s)/Declaration(s)		
iii.	<input type="checkbox"/> Information Disclosure Statement (IDS)		
iv.	<input type="checkbox"/> Other _____		
2.	Miscellaneous		
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)		
b.	<input type="checkbox"/> Other _____		
3.	Fees		
a.	<input checked="" type="checkbox"/> The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205		
	08/09/2005 SDENBOB1 00000033 09823079		
i.	<input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)	790.00	OP
ii.	<input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)	200.00	OP
iii.	<input type="checkbox"/> Other _____		
b.	<input checked="" type="checkbox"/> Checks in the amount of \$ 790.00 and \$200.00 are enclosed		
c.	<input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Frank A. DeLucia	Registration No. (Attorney/Agent)	42,476
Signature		Date	August 5, 2005

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Frank A. DeLucia	
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.